

## **RESERVED CASES**

**AUGUST 8, 2012**

**APPEAL #19100 – Christopher Cavallaro**, variance 70-49.C to permit an addition and alteration to an existing one family dwelling exceeding the permitted gross floor area; E/side #60 Gerard Ave., 360' S/of Evans St., New Hyde Park, Sec. 8, Blk. 114, Lots 8-12, R-C District. (7-13-11).

**APPEAL #19110 – Hyung Ryul Shoi**, variances 70-125 and 70-215 to permit the construction of a single-family dwelling with frame construction in a business zone – not a permitted use; N/side #16 Arleigh Dr., 90.53' W/of Willis Ave., Albertson, Sec. 7, Blk. 76, Lots 26-28, B-A & R-B Districts. (7-13-11).

**APPEAL #19144 – G&I Contractors**, conditional use 70-139.I, variances 70-203.J and requests for determination or, in the alternative, variances 70-146.A, 70-145.A, , 70-212.A & 70-229.A to permit the maintenance of an expansion and alterations to a commercial structure within a required rear yard setback, not in compliance with a previous decision (Appeal No. 11936) and an accessory storage building; N/E/ cor #110 Mineola Ave., & Villa Pl., Roslyn Heights, Sec. 7, Blk. 30, Lot 23, B-B District. (9-7-11).

**APPEAL #19171 – 813 Prospect Ave. LLC**, variances 70-195.14.A, C, & E, 70-208.F, and 70-215.A, to permit an addition of frame construction to an existing non-conforming commercial structure with inadequate screening of service areas from adjacent streets and neighboring residences for conversion of a two-family dwelling into a mixed use; N/W/cor. #813 Prospect Ave. & Sherman St., Westbury, Sec. 11, Blk. 103, Lot 46, B-A Zone, New Cassel overly district. (11-02-11)

**APPEAL #19173 – Sandy Portnoy**, appeal for determination on the applicability of Section 2-28 of the Town Code; E/side #40 Brussel Dr., 96.86' S/of Herbert Dr., New Hyde Park, Sec. 9, Blk. 589, Lot 23, R-C District (original hearing closed November 16, 2011). (10-05-11) (01-11-12)

**APPEAL #19237 - Mohammad Azadi**, variance 70-39.C to permit the maintenance of a one-story addition to a single family residence exceeding the permitted gross floor area; W/side 109 Jefferson Ave., 264.33' S/of Forest St., Roslyn Heights, Sec. 7, Blk. G, Lot 59, R-C District. (2-15-12)

**APPEAL #19258 - Michael and Sharon Ajello**, request for determination that the Plans Examiner erred in stating that 70-29D is not applicable or in the alternative variance 70-29.B to permit the maintenance of a two-story rear addition to a single family dwelling exceeding the permitted gross floor area; N/side 87 Murray Ave., 711.05' W/of Mackay Ave., Port Washington, Sec. 5, Blk. 54, Lot 322, R-A District. (3-21-12)

**APPEAL #19309 - Kelby Then**, variance 70-100.2.A(2) to erect fencing within a required front yard setback; E/side 276 Sherman St., 198.90' S/of Prospect Ave., New Cassel, Sec. 11, Blk. 88, Lot 10, R-C District. (6-6-12)

**APPEAL #19314 - Jean Anne Zaremba/Jeanne Zaremba**, variance 70-100.2.A(4) to maintain fencing exceeding the permitted height; E/side 29 North Bayles Ave., 750' N/of Main St., Port Washington, Sec. 5, Blk. 24, Lot 31, R-C District. (6-20-12)

**APPEAL #19315 - Jean Anne Zaremba/Jeanne Zaremba**, variance 70-100.2.A(4) to maintain fencing exceeding the permitted height; E/side 31 North Bayles Ave., 800' N/of Main St., Port Washington, Sec. 5, Blk. 24, Lot 33, R-C District. (6-20-12)

**APPEAL #19323 - BLR Realty Holding Group, LLC/JWIN Electronics Corp.**, variances 70-103.A, 70-103.B, and 70-161, and 70-163 to convert a warehouse to office space with insufficient off-street parking, parking stall size, side and rear yard landscaped buffer areas, and parking within required front, side, and rear yard setbacks; S/W/cor. 2 Harbor Park Dr. & Roslyn West Shore Dr., Port Washington, Sec. 6, Blk. 58, Lot 98, PIP District. (6-20-12)

**APPEAL #19328 - David Moore**, variances 70-28, 70-29.B, and 70-30.C to maintain alterations exceeding the permitted gross floor area and lot coverage, and a bay window within a required front yard setback; N/E/cor. 11 Soundview Crest & Country Club Dr., Manhasset, Sec. 3, Blk. 151, Lot 102, R-A District. (7-18-12)

**APPEAL #19329 - Robert West**, variances 70-49.B, 70-50.C and 70-208.F to maintain an enclosed porch exceeding the permitted gross floor area and within a required front yard setback on a non-conforming two-family structure; W/side 12 Herbert Ave., 253.05' N/of Main St., Port Washington, Sec. 5, Blk. G, Lot 17, R-C District. (7-18-12)

**APPEAL #19333 - Daisy Shaffer/Chris Gray**, variances 70-30, 70-31.A, 70-32 and 70-100.1A, to construct a raised deck and a deck on-grade with insufficient aggregate side yards, within the required side and rear yard setbacks, exceeding the permitted rear yard coverage and to maintain a pillar within a required front yard setback; E/side 108 Fairview Dr., 175' S/of Ridge Road, Searingtown, Sec. 7, Blk. 304, Lot 20, R-A District.

### **CONTINUED CASES**

**APPEAL #18919 - Carmela Iannelli**, variances 70-49.B&C, 70-51.A, 70-52.3B & 70-208.F to permit the maintenance of an alteration & addition to a single family dwelling exceeding the permitted gross floor area & lot coverage with insufficient side yard setback & encroachment into the required sky exposure plane; S/side 123 Bethel Rd., 182.95' W/of Dorsett Ave., Albertson, Sec. 9, Blk. 113, Lot 31 & 32, R-C District.

**APPEAL #18931 - Hamilton Shay/Nicole Palumbo, Esq.** variances 70-49.C & 70-208.F to permit the two-story & second floor addition & alterations to a non-conforming dwelling exceeding the permitted gross floor area; S/E.cor. # 420 Leonard Blvd. & West End Ave., New Hyde Park Sec. 8, Blk. 176, Lots 87-90, R-C District. (9-8-10).

**APPEAL #18932 - Lyju Oomen/Farhad Tehrani, P.E.**, variance 70-29 to permit the maintenance of a single family dwelling exceeding the permitted gross floor area; W/side #21 Crest Rd., 74.26' N/of Lake Dr., New Hyde Park, Sec. 8 Blk. 239, Lot 2. R-A District. (9-8-10).

**APPEAL #18992 – Imad & Eman Barakat/Eliot F. Bloom, Esq.,** conditional use 70-126.F & variance 70-103.A,B,F & 70-203.G to permit the alteration of an existing commercial building for use as a delicatessen and subdivision of the building into two mercantile uses with insufficient off-street parking and loading and landscaped area and parking stalls of insufficient dimension; S/W/cor. #646 Union Ave. and Covert St., Westbury, Sec. 11, Blk. 97, Lot 62, B-A District. (11-17-10) (1-12-11)

**APPEAL #19030 – Matrix Equities Inc./John Amisano, R.A.,** variance 70-29.C, 70-30.C & 70-101.B to permit the maintenance of a single family dwelling exceeding the permitted gross floor area and encroaching into a required front yard setback; S/side #54 Richards Rd., 632.28' W/of Terrace Pl., Port Washington, Sec. 5, Blk. 72, Lot 234, R-A District. (2-16-11)

**APPEAL #19062 – Ken Cheng, R.A./V. Sharma,** variance 70-39.C to permit an alteration and addition to a single family dwelling exceeding the permitted gross floor area; W/side #13 Solar Ln., 202.86' N/of Lydia Ct., Albertson, Sec. 7, Blk. 269, Lot 21, R-B District. (4-6-11)

**APPEAL #19065 – Minsoo Hyun, R.A./Jong Kim,** variances 70-223.D, 70-47.B, 70-47.1.B, 70-51.E and 70-103.A.1 to permit the maintenance of a two family dwelling with insufficient lot area, lot width, side yards, and off-street parking; W/side #3 First St., 100.96' N/of Waldo St., Greenvale, Sec.19, Blk. 2, Lot 17, R-C District. (4-6-11)

**APPEAL #19111 – Rosalind Lange,** variances 70-49.B and 70-49.C to permit the construction of a sunroom exceeding the permitted gross floor area; W/side #33 Redwood Rd., 94' N/of Maple Dr., New Hyde Park, Sec. 8, Blk. 211-04, Lot 120, R-C District. (3-7-12)

**APPEAL #19156 – Damon Urso,** variance 70-32 to permit the maintenance of a deck within a required rear yard setback; S/side #216 Birch Dr., 224.44' E/of Larch Dr., Manhasset Hills, Sec. 9, Blk. 574, Lot 34, R-A District. (9-21-11)

**APPEAL #19183 – Yong Huh,** conditional use 70-139 and variances 70-25, 70-138, & 70-146.A, 70-215, to permit the erection of a single-family dwelling of frame construction and a detached garage within a required rear yard setback; N/W/cor. #67 Hillside Ave. & Locust Ave., Manhasset, Sec. 3, Blk. 43, Lot 1, B-B District. (11-02-11)

**APPEAL #19212 – Oscar Cuevas/Charles Yu,** variance 70-51.A, 70-208.F, to permit maintenance of an enclosed rear porch within the required side yard setback on a non-conforming single-family dwelling; E/side 46-23 Arcadia La., 220' S/of Pembroke Ave. Great Neck, Sec. 2, Blk. 78, Lot 17, R-C District. (01-11-12)

**APPEAL #19225 – Edward Pymm,** Appeal for Determination or, in the alternative, variance 70-208.F to permit additions & alterations to a non-conforming two-family dwelling; E/side 64 Locust St., 200' S/of Hillside Ave., Manhasset, Sec. 3, Blk. 48, Lot 106, I-B District. (01-11-12) (2-15-12)

**APPEAL #19226 – Syed Hussain**, variance 70-203.P(2), 70-213, 70-100.1A, 70-132.A, to permit the addition of a convenience store to an existing gasoline service station exceeding the permitted floor area and with insufficient landscaping; an accessory structures exceeding the permitted height within a required front yard setback; N/E/cor. 601 Port Washington Blvd. & Fairview Ave., Port Washington, Sec. 6, Blk. 4, Lot 135, B-A District. (01-11-12)

**APPEAL #19238 - Emilio Susa, RA**, variance 70-100.2.A(4)(b) to permit the maintenance of fencing exceeding the permitted height at a single family dwelling; W/side 133 Gerard Ave., 200' S/of Lawrence St., New Hyde Park, Sec. 8, Blk. 249, Lot 19, R-C District. (2-15-12)

**APPEAL #19239 - John Laurino**, variances 70-18, 70-19.B, 70-21.A, and 70-22.3.B to permit the construction of a garage and breezeway to a single family dwelling within a required side yard setback and sky exposure plane; exceeding the permitted aggregate side yard, lot coverage and gross floor area; N/side 105 Percheron Ln., 440' E/of Hummock Ln., Roslyn Heights, Sec. 9 Blk. 539, Lot 15, R-AA District. (2-15-12)

**APPEAL #19287 - RMB Drafting Services**, variance 70-195.15.B.3(b) to construct a two-piece bathroom in the basement of a dwelling with an interior stairwell located within five feet of a perimeter wall; E/side 232 Garden St., 150' S/of Park Ave., Westbury, Sec. 11, Blk. 3. Lot 31, R-C District. (5-23-12)

**APPEAL #19298 - Gary Rera**, variances 70-138, 70-103.A, 70-103.F and 70-208.F to maintain alterations to a non-conforming commercial building, including a third dwelling unit (not a permitted use) with insufficient parking and loading zones; N/E/cor 397 Jericho Tpke., & McKee St., Floral Park, Sec. 8, Blk. 76, Lot 65, B-B District. (5-23-12)

**APPEAL #19302 – Congregation and Yeshiva Beth Eliyahu/James Martino, R.A.**, variances 70-103.A, 70-103.B, 70-103.F, 70-103.K, 70-105, 70-203.G and 70-208.F to expand a non-conforming commercial building for use as an educational facility with insufficient off-street parking, insufficient number of loading zones, parking located off-premises, elimination of required buffer strip and a playground and building addition within a Parking District – not a permitted use; S/E/cor. 195 Middle Neck Rd. & Allenwood Rd., Great Neck, Sec. 2, Blk. 351, Lot 1, B-A/P Districts. (7-18-12)

**APPEAL #19325 - Nassau County Industrial Development Agency/Blue Cassel Commercial Realty, LLC**, conditional use 70-126 and variance 70-103.A to convert three tenant spaces originally approved for retail use (Appeal No. 17559) to two restaurants and one office suite with insufficient parking; N/E/cor. 701 Prospect Ave. and Brush Hollow Rd., New Cassel, Sec. 11, Blk. 100, Lot 122, B-A /New Cassel Urban Renewal Overlay District. (7-18-12)

## **ADJOURNED CASES**

**APPEAL #18995 – Douglas Moyal**, variance 70-50 to permit an alteration and addition into a required front yard setback; W/side #44 Pasture La., 416' N/of I.U. Willets Rd., Roslyn Heights, Sec. 7, Blk. 162, Lot 9, R-AA District. (12-15-10).

**APPEAL #19046 – Kurt Jacobs, R.A./David Higuita/Jaime Guzman**, conditional use 70-231 to permit an alteration to a single family dwelling to a mother-daughter use; N/E/cor. #273 Monitor St. & Roman Ave., Westbury, Sec. 11, Blk. 95, Lot 26, R-C District. (04-20-11).

**APPEAL #19048 – Michael Shahkoochi/Wisdom Real Estate Holding, L.L.C.**, variances 70-103.A, F, & M, 70-132.A, 70-134, 70-203.G, & 70-208.F, to permit an addition and alteration to an existing non-conforming service station not in compliance with Town Code; S/E/cor. #294 Great Neck Rd. & Bayview Ave., Great Neck, Sec. 2, Blk. 43, Lot 102, B-A District. (04-20-11).

**APPEAL #19074 – Anthony Garrett/Nick Katorpodis**, variances 70-103.B & M, 70-231, 70-134, 70-203.G & Q, & 70-44 to permit the construction of a new mixed-use commercial building with insufficient parking, landscaping area, rear yard setback, parking within a front yard, and into a residential district; N/E/cor. #679 Port Washington Blvd. and Park Ave., Port Washington, Sec. 6, Blk. 2, Lots 115 & 277, B-A/R-C District. (04-20-11).

**APPEAL #19118.A – 7 Eleven, Inc./Howard Development LLC**, conditional use 70-126.F to permit alterations to an existing retail space for a conversion to a convenience store; S/side, #164 Northern Blvd. between Belmont Rd. and Jayson Ave., Great Neck, Sec. 2, Blk. 71, Lot 1, B-A District. (7-13-11).

**APPEAL #19118.B – 7 Eleven, Inc./Howard Development LLC**, variance 70-196.J(2)(c) to permit the erection of a ground sign within a required front and side yard setbacks; S/side, #164 Northern Blvd. between Belmont Rd. and Jayson Ave., Great Neck, Sec. 2, Blk. 71, Lot 1, B-A District. (7-13-11).

**APPEAL #19140 – Denise Amarain**, variances 70-102.C(5)(b) & 70-100.2.A(4) to maintain an above ground pool in a required side yard setback and to maintain a fence exceeding the permitted height; N/side #24 Heathcote Dr., 133.61' E/of Croyden Ct., Albertson, Sec. 9, Blk. 648, Lot 12, R-B District. (9-7-11).

**APPEAL # 19268 - CLC Development Corp.**, variances 70-47.B, 70-47.1.B, 70-49.A, 70-51.E, and 70-100.2.A(2), to permit the maintenance of a two-family dwelling in a required side yard setback with insufficient lot area, lot width, and habitable floor area, and a fence within a required front yard setback; N/side 17 Elm St., 526' E/of Glen Cove Rd., Greenvale, Sec. 20, Blk. J-6, Lot 111, R-C District. (4-18-12)

**APPEAL #19270 - Robert Schaufield, Esq.**, variance 70-27.1.B to permit a proposed subdivision and maintenance of a dwelling on a lesser lot; N/W/cor. 20 Somerset Dr. South & Rutland Rd., Great Neck, Sec. 2, Blk. 94, Lots 8, 18, 109, 209, R-A District.

**APPEAL #19318 - Jeanette Pereira**, variance 70-49.C to construct a rear addition exceeding the permitted gross floor area; W/side 173 Celler Ave., 180' S/of Soma St., New Hyde Park, Sec. 8, Blk. 104, Lots 254 & 255, R-C District. (6-20-12)

**APPEAL #19327 - Mitchell Shapiro/Edna Guilor, R.A.**, appeal for determination 70-24 to maintain 1 attached and 1 detached garage – not a permitted use - or in the alternative a variance from 70-24, and a variance from 70-100.1.A to maintain a detached garage exceeding the permitted height; W/side 18 Robin Way, 131.97' N/of Woodland Pl., Great Neck, Sec. 2, Blk. 41, Lots 49, 50, R-A District. (7-18-12)

**APPEAL #19332 - Robert Cristal**, variance 70-100.2.A(2) to permit the erection of fencing extending beyond the building line; S/E cor. #37 Shelter La., & Summit La., Roslyn Heights; Sec. 7, Blk. 224, Lot 1, R-AA District. (7-18-12)

BULK